

Bread, Peace, and Land

Cleveland, Ohio

Independence

Office

BREAD, PEACE AND LAND
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CLEVELAND, OHIO 44118

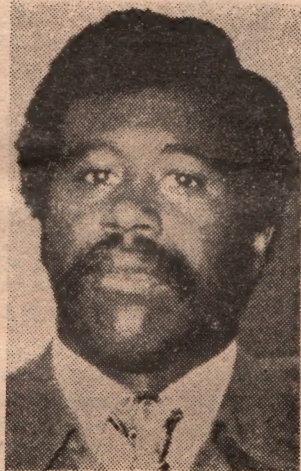
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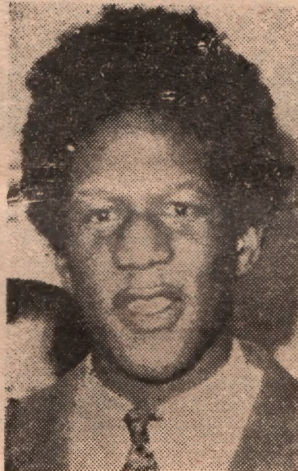
Regina Community
Media Project
210 North Crown Blvd.
Regina, Sask, Canada



Curtiss L. Johnson



Richard M. Dowell



Fred Clark

Politics + Lies = Guilty

On June 29, 1970, over 40 Cleveland policemen (and several F.B.I. agents) armed with high-powered rifles and Thompson sub-machine guns descended upon the headquarters of the Cleveland NCCF, at 79th and Rawlings, to serve a Peace Warrant . . . or so they said. What actually occurred was a planned and nationally coordinated military attack on the NCCF, an affiliate of the Black Panther Party.

While the main body of police surrounded the building, an assault party went up the back stairs to the rear of the apartment which housed the offices of the NCCF. Upon a signal from a police officer, the police began firing. After a brief barrage, lasting no more than a minute or two, the three NCCF members inside surrendered. Wounded in the 'shoot-in' were Fred Clark of the NCCF, who was shot in the head and the stomach, and patrolman Heinrich J. Ortog, who was shot in the chin. The three NCCF members: Curtiss Johnson, Richard Dowell, and Fred Clark, were arrested and later arraigned on three separate charges of shooting with intent to kill police officers.

That the serving of a rarely used legal device—a peace warrant—was only a pretext for undertaking the police raid seems especially evident upon recalling the whole series of raids against the Panthers that took place from December, 1969, through the fall of 1970. For instance, on December 4, 1969, 300 police attacked the Los Angeles Panther headquarters; on December 6th, Chicago police launched the infamous raid on the apartment of Panther leader Fred Hampton, killing him and Mark Clark; in February, it was the Baltimore office of the Panthers and in March the New York Panthers—or the New York 21, as they are now known—were jailed; April found the police raiding offices in such diverse places as New Haven, Detroit, Milwaukee, Dallas, Oakland, and San Francisco; in June, Cleveland shared the spotlight with Detroit, whose Panther headquarter was also besieged; from July through early fall occurred a series of raids against the New Orleans Panthers, raids which drew the condemnation of many of the priests in the New Orleans Catholic Diocese. All the while these attacks were going on, Mitchell and J. Edgar Hoover attempted to create the sort of blind public hysteria necessary to inhibit a public inquiry into the brutal and illegal nature of these assaults.

It was within this national context that the Cleveland attack took place. Just as LBJ used the

phony pretext of a Vietnamese attack on U. S. warships to launch his attack on North Vietnam, in the same way did the Cleveland Police use the phony peace warrant (initiated three days earlier by Thomas Avery, who swore that Curtiss Johnson had threatened his family and children in the course of an argument concerning the efforts of the NCCF to clear a vacant lot for a neighborhood People's Park.)

Johnson, Dowell and Clark were brought to trial during the middle of this past June, and were convicted on all counts and sentenced. That this conviction is an egregious miscarriage of justice should be clear to any person who followed the presentation of evidence; that the court resembled a kangaroo court and that the jury in no way was a jury of peers were evident to anyone who spent any time at all at the trial proceedings.

Of the 29 persons from whom the jury was chosen, only three were black and at most two or three were under 30 years old. The majority of this panel and the majority of the jury finally selected was white, over 45, and middle class suburbanites. The one young black person on the panel was dismissed from consideration as a result of a peremptory challenge by prosecutor Patsy Lazzaro. Several of the jurors selected admitted that they had sold their Cleveland homes and moved to all white suburbs as soon as their former neighborhoods began to integrate. Yet these persons—middle aged or older, conservative in dress, mostly white and mostly middle class, and mostly living in conservative all-white communities—provided the jury of peers for three inner city black men in their early twenties.

Thomas Avery, the first prosecution witness (and the only person not on the police payroll to testify for the prosecution) admitted under cross-examination by defense attorney Fredrick Ferrell that he had no family and no children, even though the warrant he signed asserted that the lives of these non-existent children were threatened. Furthermore, his claim that this threat was delivered by Johnson at a meeting called by ACLU lawyer Eugene S. Bayer (a meeting called by Bayer to help negotiate the differences which has arisen between Avery and the NCCF) was contradicted by Bayer, himself. Attorney Bayer claimed, in fact, that the entire meeting consisted of an incoherent tirade delivered by Avery, who objected to the Panthers' efforts to clean-up the rubbish-strewn lot opposite his drug and wine store and turn it into a play area for children.

Avery also testified that before the NCCF established headquarters in the neighborhood, he never experienced any trouble there. This claim surprised those in the courtroom who recalled that two years earlier, Avery shot and killed a young man who entered his drug store and began what Avery termed at the time was a "political hassle".

During his direct examination, Avery testified that Curtiss Johnson had given loaded guns to many neighborhood children. This outlandish assertion was seized upon by Lazzaro, who even brought it into his final summation. If, as a matter of fact, the hundreds of youngsters living in the Kinsmen area were the beneficiaries of Johnson's magnanimous gifts of costly guns, why weren't the police able to produce even one of these guns? Why wasn't Lazzaro able to produce a statement from even one parent that his child had been given lethal weapons? Why did Judge White permit this inflammatory, irrelevant, unsubstantiated, and patently dishonest statement to appear in the court record?

It should be noted in connection with the Peace

Warrant that several lawyers, who were contacted by Bread, Peace and Land, indicated that they doubted if any other such warrants had been issued within the past twenty years. Since Avery had testified that he had requested the warrant three days before the day of the raid, it seems that the police had ample time to serve the warrants at the homes of those for whom it was intended, rather than at the offices of the NCCF, which was not mentioned in the warrant. If the object of the police raid was merely to serve a warrant, why was it necessary to have it delivered by a battalion of heavily armed police, accompanied by F. B. I. agents and members of the Subversive Squad. If, in fact, the attack had no political overtones, why were these latter two groups present at all? Why weren't the warrants served at the front door, the customary entranceway to home or office?

The police who testified claimed that they began to fire only after the NCCF started shooting. A defense witness, who was present at the incident, contradicted this police claim in his sworn testimony: he claimed that he observed a police officer give a signal, at which time the police began firing; and before this signal, there had been no shooting. The day of the shooting, Attorney Basie of the Legal Aid Society gathered statements from approximately thirty eye-witnesses. The July 4, 1970 issue of the *Call and Post* reports, in this connection, that "Basie and private attorney Fredrick L. Ferrell took statements from eye-witnesses Monday night. At noon Tuesday, Basie offered the statements to Prosecutor Rogers, who was signing charges against the trio at that time. Basie was advised to give his statements to the County Prosecutor, instead."

During its preparation for the case, the defense requested copies of these documents from the County Prosecutor's office, but that office was unable to produce them. It is quite likely that these affidavits could clear up the controversy as to who began shooting and under what circumstances, and it seems equally likely that it is for this very reason that they were so conveniently misplaced.

Ortog claimed that he was standing in the kitchen facing a bedroom when he was shot by Johnson with a 357 magnum bullet. Johnson was alleged to have fired at him from the front hall. Officer McCreary, who entered the NCCF office directly behind Ortog, testified that Ortog had made a 180-degree turn directly before being shot. McCreary's sworn testimony would indicate that Ortog's back was in the direction of the hall, while his face was exposed to the bedroom window. Thus, if Johnson were shooting from the hall, as was alleged, he could not possibly have shot Ortog in the face: Ortog could only have been shot by fellow police officers, who were firing from the ground through the very window that was in line with Ortog's face.

Furthermore, if Ortog had been shot with a 357 magnum bullet and from so close a distance, the nature of the bullet and the velocity with which it travels would have combined to blow his head off. If Ortog had been shot with the 357 magnum, why weren't either the bullet or the shell produced into evidence? Such evidence would surely have lent strength and credence to the prosecution's otherwise weak case.

The Prosecutor claimed Dowell was in a bedroom and shooting out the window, yet every policeman who

continued on page 4

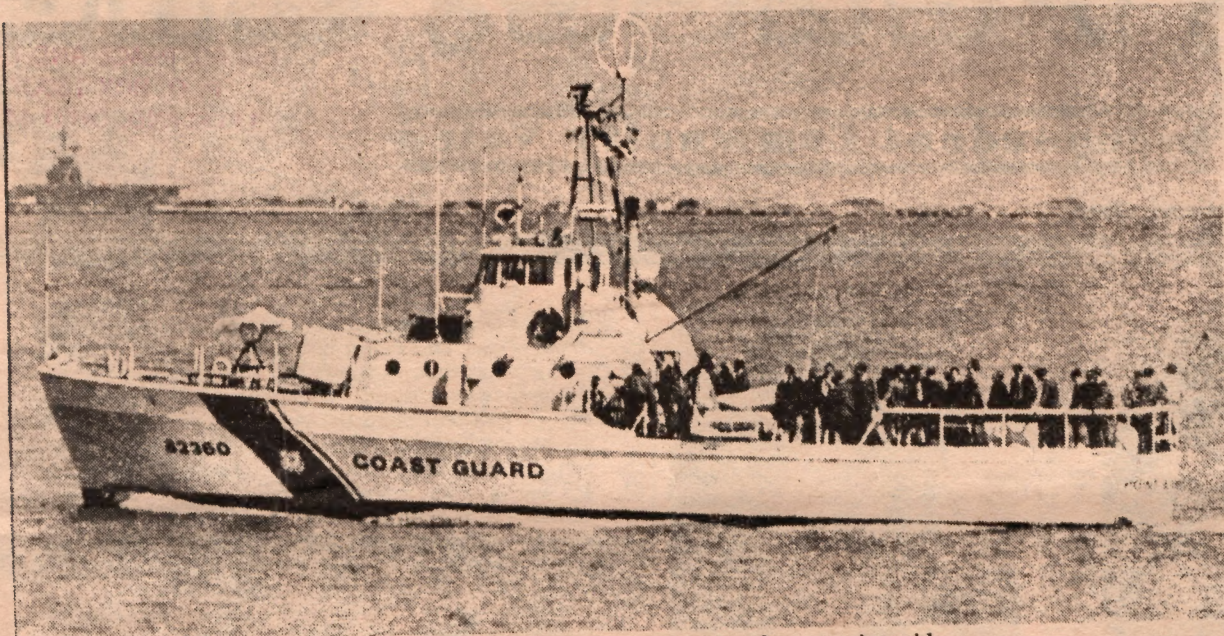


Police bullets riddle NCCF office



"You can jail a revolutionary but you can't jail the revolution. You can run a freedom fighter around the country, but you can't run freedom fighting around the country. You can murder a liberator but you can't murder liberation."-- Fred Hampton, Deputy Chairman, Ill Chapter of the Black Panther Party --

WORLD SCENE



U.S. Coast Guard removes Indians from Alcatraz after surprise raid.

GOVERNMENT SEIZES ALCATRAZ

The U. S. government, with a force of 35 federal marshals, removed 15 Native Americans from Alcatraz Island on June 11. They had occupied Alcatraz since Nov. 20, 1969, citing a treaty which promised that land abandoned by the federal government would revert to the Indians. The group, which wanted to convert the former prison site into an Indian cultural center, charged that the government's action betrayed a promise not to make such a move while negotiations over future use of the island continued.

In retaliation to the seizure of Alcatraz, over 100 Native Americans began occupying an abandoned Nike missile site in Richmond, Calif. Three days later they were evicted in a pre-dawn raid by city, county, and military police.

Two other closed down military bases have also been occupied by Native Americans. Some 70 people occupied the Twin Cities Naval Air Station (near Minneapolis) for 5 days, before being evicted by a force of 85 U.S. marshals. In Chicago there was an occupation of a defunct Nike missile base by 100 Indians. They lived on the base for about two weeks and then were thrown off by over 100 Chicago police wielding shotguns, clubs, and rifles. Twelve Indians were arrested and several were beaten.

ANTI-WAR GROUPS PLAN FALL OFFENSIVE

The two major national anti-war organizations have met recently to map out a program for continuing the spring offensive against the war. The People's Coalition for Peace and Justice, at its meeting in Milwaukee June 25-27, and the National Peace Action Coalition, at its meeting in New York July 2-4, agreed to jointly sponsor three major actions: Local demonstrations commemorating Hiroshima and Nagasaki to be held August 6-9; a nation-wide moratorium on business as usual on October 13; and massive regional anti-war demonstrations in several major cities on November 6. The People's Coalition also approved plans for sustained civil disobedience

in Washington (similar to the actions of this spring) and plans for actions centered on this issues of political prisoners and welfare rights.

ANTI-WAR GI'S FACE COURT-MARTIAL

An Air Force captain who played an active role in organizing a petition campaign against U. S. involvement in Indochina was convicted last week, in court-martial proceedings at Lakenheath Air Force Base in England, of participating in an illegal demonstration. Capt. Thomas S. Culver, a Vietnam veteran, was arrested in June, a few days after an anti-war petition signed by 1000 U.S. servicemen was presented to the American embassy in London by some 300 Air Force and Navy personnel.

This was the largest action by American servicemen in England since the war began.

The petition said, "Because Vietnamization is increasing the Air Force and Navy role in the war, it is more important than ever before that we voice our opposition."

This is one example of how GI's attempting to exercise their first amendment rights to speak out against the war in Indochina continue to be harassed, threatened with court-martial, and imprisoned.

In another case, Pvt. Ed Jurenas, an anti-war GI stationed at Ft. Greely, Alaska, faces a court-martial for allegedly promoting "disaffection" and "disloyalty" in the armed forces. He is the editor of a GI newspaper, the *Arctic Arsenal*. On the day after the first issue appeared, agents of the Criminal Investigation Division descended on GI's suspected of possessing or distributing the paper and confiscated copies of the first issue.

Meanwhile, at Ft. Lewis, Washington, 16 persons were found guilty of violating post regulations for distributing copies of the Declaration of Independence without authorization. An army spokesman said, "Anything that is a dissident publication advocating the overthrow of the government and upsetting the morale of the service—these are the publications that we don't want on the base."

MAYDAY REACTION

President Nixon has branded the thousands of protesters who descended on Washington in May as "vandals, hoodlums, and lawbreakers." Nixon publicly praised Washington police for their fine job of keeping traffic moving and arresting over 12,000 people during the Mayday actions. The Nixon administration has also strongly urged other cities to use the same mass arrest procedures to deal with demonstrations.

Nixon's statements came after increasing criticism of police tactics during the May protests. The ACLU called it the "Vietnamization of America" and compared the police actions to the techniques used against the Vietnamese. The ACLU statement noted that the police picked certain areas and arrested everybody in them, including bystanders and people on their way to work. Anybody with a beard, long hair, or unconventional dress was marked for immediate arrest. In addition, according to the ACLU, police falsified arrest forms and herded people into detention centers without food, water, sanitary facilities, and with no chance to notify a lawyer.

Of the more than 12,000 arrested, only 63 have been convicted (according to a recent N.Y. Times report). Most of the cases have been thrown out because of lack of evidence and improper arrest procedures.

Meanwhile, the government has reserved the most serious charges for those it has singled out as leaders. Rennie Davis and John Froines (both of Chicago conspiracy fame) have been indicted for "conspiracy to violate the civil rights of others." Brad Lyttle, a Quaker pacifist, has been charged with assaulting a police officer with a deadly weapon. Abbie Hoffman was indicted for crossing state lines with intent to incite riot. The grand jury continues to sit, and more indictments may be forthcoming.

In related developments, the House Internal Security Committee (HISC) has been holding hearings, evidently to attempt to discredit the spring anti-war actions. HISC chairman Richard Icard claimed the April 24 and Mayday demonstrations were controlled by Communists, citing illegally seized bank records of the National Peace Action Coalition and the Peoples Coalition for Peace and Justice. He also attacked the press for failure to expose this before April 24 so as to frighten away "innocent" anti-war Americans from the "red-controlled" demonstrations.

BAIL DENIED FOR ANGELA DAVIS

Judge Richard Arnason has refused to allow Angela Davis to be released on bail, despite the recommendation of the Marin County (Calif.) Probation Department that she be granted bail. According to legal precedent, bail must be granted except in unusual capital offenses where presumption of guilt is great, but apparently the judge felt that a Black woman who is an admitted Communist is guilty until proven innocent, and bail was denied.

In other developments, a federal judge has denied a defense motion urging that the trial of Angela Davis and Ruchell Magee to be transferred to federal jurisdiction. The judge also barred Magee from filing any additional petitions that might delay the trial and denied a petition calling for the arrest of Gov. Ronald Reagan for leading a conspiracy against Davis while she was teaching at UCLA.



Angela Davis and Ruchell Magee.

African Carnage

Recently I had the opportunity to spend a week in Addis Ababa, the 8000 ft. above sea level capitol of Ethiopia. Summer is the rainy season there and much of my time was spent in repose at the hotel-bar. In this colonial atmosphere, over rum punches, the conversation turned to local politics. American, Ethiopians and travellers from other nations rapidly filled in huge gaps in my knowledge of the country (a knowledge which previously had consisted of 2 meagre items: Haile Selassie I was the

Emperor and the Italians had mounted an Ethiopian campaign in WWII.) The picture they painted for me is startling.

Situated in East Africa, on the coast of the Red Sea, Ethiopia lies just south of the Middle East. Her 25 million population (92% of whom are involved in agriculture and agriculture related industries) are affected by the shut-down of the Suez Canal. Hardest hit is the animal skin industry, whose pelts are not of sufficient quality to last the longer journey around the Cape, before reaching European tanning factories.

The average yearly per-capita income is \$63. The streets of Addis are paved with children who beg (Mistah, hungree today, ten cents, Mistah,) work (Mistah, good shoeshine, ten cents, Mistah,) sell (everything from postcards to prophylactics), and extort (Mistah, I watch your car, Mistah, good price.) In the countryside peasant-farmers are scratching a bare subsistence from the land; all surpluses are confiscated as rent by the feudal landowners. Land reform, the country's greatest need seems remote; the members of Parliament are the big landlords, the small minority who benefit from the existing situation.

Uprisings by University students are met by a brutality that makes Kent State look like a picnic in comparison. This spring alone netted over 1000 students in jail; the casualties are so commonplace that the dead and wounded aren't even tallied.

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cont'd on pg. 6



The following is a personal report by Polly Toyne of England's *Observer Review*. She has been trying out some of the worst jobs in that country during the past year and records her observations about the work. This particular job was in a cake factory.

There is bustling and pushing at the (time) clock. Then the machines start up, at exactly 7:45. The girls start the actions they will repeat thousands of times that day.

The noise is fearful, threatening and relentless.

Like a horrible symphony orchestra, the sounds mix together in perfect rhythms, each bar repeated exactly over and over again. When the machines stop, the music sounds loud, showing how noisy the machinery is. There is no conversation, only occasional shouted commands, often repeated several times before they can be understood.

The women work from 7:45 to 4:15 with a half hour for lunch and two 15 minute tea breaks for a wage of about \$35 a week. The job consists of doing one small action to every cake over and over again.

Anyone who has worked at all in a factory knows how deathly conveyor-belt work is. At first it is difficult to keep up, and when you're tired it is quite merciless. After a while, when you have become fairly used to it, the fact that you can't work faster is also infuriating. Sometimes, when things are going well, you feel that you could go fast for a while, and maybe slow up later when you were tired. But no, you must work at exactly the prescribed speed, making exactly the same movements, being careful to be as economical with energy as possible, learning not to put your own into it but to use only your arms, learning how to use the wrists the same way everyday so the muscles are strengthened and don't go on aching.

I had often wondered what people thought about, working on assembly lines all day. The answer is, nothing. The work needs just enough concentration to keep the mind occupied. I had thought it would be a time when I could sit and think for hours on end. But my mind was blank. The monotony permeates every corner of the brain. The rhythm deadens every thought. From the miserable and expressionless faces of the other girls, I doubt whether they were thinking much either. Just cakes and more cakes and more cakes.

There was no trade union in this factory, except for a few skilled engineers. None of the women belonged to a union. Had there been one, I am sure the question of tea-breaks at the right times is the sort of thing that would very quickly have been put right. The breaks were not scheduled at a particular time, but came when there was a lull in the work, or a machine broke down. Sometimes breaks came only one hour after lunch or starting time, meaning you sometimes had to work a five-hour stretch with not one break.

Such monotonous work causes emotional stress and quarrels break out frequently for no apparent reason. Polly relates the story of how angry she was with the woman who worked with her, who delayed the flow of a cream machine until Polly had to work at a fast pace to keep up her part. They never spoke a word, but the aggression was expressed in antagonizing each other. The obsession with such trivial detail was the entire day's preoccupation, since the work didn't allow for time to think about other things. She describes the situation as "mad, obsessive, and utterly pointless." "If the work is of minimal interest, so the thoughts and preoccupations of the mind will match it exactly. A stupid, boring job makes a stupid, boring mind."

I was horrified by the work, and became depressed within a few days—tired and bored. In the evenings I had meant to take notes, but was too deadened by the day to do anything except watch television. That kind of work gets right into the system. You can't shake it off when you get home and settle down to something rewarding or creative. The mind is like a stomach: it expands or contracts to suit the requirements. If it isn't required to stretch itself, it will tailor itself neatly to become a machine."

Some of the women had young children whom they left with minders during the day. When they came back in the evening there was all the housework to be done, the greasy breakfast plates still on the table, and the evening meal to be cooked. I don't know how they had the strength. I was exhausted by the time I got home. Most of them said they went to bed at 9 P.M. or earlier. Work was almost the whole of their lives."

Such is life at the bottom of the ladder.

Women in Conference

PLANNING CONFERENCE FOR "THE PUBLIC HEARING WE NEVER HAD" — Columbus, Ohio July 31.

The Abortion Project Coalition of Cleveland, women from Cleveland Women's Liberation, and women from Ohio State University Women's Liberation in Columbus are calling a conference in Columbus on Saturday July 31st at the Lutheran Student Center in order to coordinate state-wide abortion actions and to plan a demonstration in Columbus this fall. The impetus for the conference came from the outrage felt by women who attended the abortion hearings in Columbus, and returned realizing that the "legislators didn't really want to hear any testimony and in fact weren't the least interested in repealing the abortion laws." Women who attended this farce called "public hearings" played by the Ohio legislature feel that it is clear that the only way to change the laws is for women to "put as much pressure on the law makers as we can" and "to join together to demand what we need and have a right to NOW: that abortions be available to all of us when we want them, not when someone else wants them for us. WE NEED A MASS ACTION BY ALL WOMEN IN OHIO." All women are invited to attend the next two meetings in Cleveland, at 8 p.m. on Tuesday, July 20th at the Women's Center, 1751 Bryn Mawr, and at 8 p.m. on Thursday July 22nd at the Abortion Project Coalition office, Hillel House 11291 Euclid Ave, on the CWRU Campus.

INDOCHINESE — NORTH AMERICAN WOMEN'S CONFERENCE — Vancouver, B.C. — April

Several hundred women met with six Indo-chinese women and their interpreters. On the first day of the conference the Indo-chinese met with Voice of Women and Women Strike for Peace; on the second day they met with Third World Women; and on the third day they met with white women from the women's liberation movement. The Indo-chinese women spoke of both their unique personal suffering and the abysmal conditions in their countries, where all the inhabitants suffer from the brutality of the American Government. One group of women emerging from the conference were convinced that their "first priority had to be given to anti-imperialism and that immediate energy should be directed at getting the U.S.A. out of Indochina as soon as possible." (From the NUC Women's Caucus Newsletter - Mimi Sherman)

WOMEN'S NATIONAL ABORTION CONFERENCE — New York — July 16, 17, 18

The conference, being held this weekend will launch a nationwide coalition to fight for the repeal of all abortion laws with no forced sterilization and also to fight existing contraception laws. The call for such a conference was based on the realization that only a national coalition can beat the intensive lobbying against the right to abortion by the Roman Catholic Church. Forty women from the Cleveland area are attending the conference. This delegation includes members from a wide spectrum of women's groups in the city.

RADICAL FEMINIST CONFERENCE — Detroit, Mich. — June

The conference was called by women in Detroit who wrote the *Fourth World Manifesto* and the conference was for women who shared their political perspective. Some of the main ideas expressed at the conference were: that the oppression of women and the idea of male superiority transcends any one particular economic system; that feminism should be concerned with developing an alternate world where women can define themselves and relate to other women in a conscious struggle against power inequalities; that it is a political necessity for women to lead their lives, with women as their primary concern; and that the maintenance of individual monogamous relationships continues the existence of a major weapon against women. To combat the pressuring of women into these relationships, Feminists have been setting up living collectives. Several women spoke of their experiences in these collectives. (From Cleveland WL Newsletter, Nancy Mowll and Susan Woodworth)

WOMEN'S STUDIES CONFERENCE — Santa Cruz, California — April

300 women from California met to discuss the status and problems of university based women's studies programs. The San Diego State struggles were presented and the experience here emphasized the need to develop a strong women's movement on campuses which can consistently fight for control of women's programs. There was also a discussion centering on the possibility of developing our own learning institutions such as Breakaway, a women's liberation school in San Francisco. (From the NUC Women's Caucus Newsletter)

PESCO Strikers Stop Scabs

It has been over 24 weeks since the 380 workers at Pesco Products (a division of Borg-Warner Corporation) began their strike at the Pesco plant site in Bedford Heights, Ohio. Throughout this long strike, the workers have remained unified in insisting upon their demands for a liveable wage, a cost of living clause, and adequate medical and retirement benefits: unified despite every attempt by the company to intimidate the strikers and break their spirits ... and ultimately their union, UAW local 363.

The only weapon the Pesco workers have in obtaining just wages and benefits is their strike. When the workers used their one legal weapon they were met with a judge's injunction against picketing, and club swinging cops. Yet Borg-Warner did not stop there with its intimidation. Every day the company has

photographers taking pictures of the pickets. The purpose again being intimidation and fear of future retaliation against strike leaders.

Pesco Products is operating today; it is operating because all along the company has called upon management personell and past retirees to do the jobs of the striking workers. This has always been the company's scab policy; but it wasn't until two weeks ago that they were so blatant about it. It was then that the company ran quarter page, bold print adds in local newspapers stating that they were actively seeking help in all trades to replace striking workers. They further stated that the pay was over \$3 an hour and that college students were encouraged to apply.

It has been a long time since the word scab has been heard around Cleveland. It is even longer since

any company has had the audacity to advertise for scab labor. A scab can be described as the lowliest of creatures because it is the scab who comes in when the workers are striking for their livelihood and the the livelihood of their families and attempts to steal their jobs. This is the same as taking the food from their mouths.

If we can say this of scabs what can we say of a company such as Pesco Products (division of Borg-Warner) that advertises for such scab labor? Advertises knowing that with unemployment being what it is, the offer must be tempting for unemployed workers. They also attempt to solicit students whose unemployment is higher than the national average and are in desperate need of summer jobs. They do this not because of any sympathy for the unemployed, but rather as an attempt to break the striking workers union by setting worker against worker and student against worker. It is an attempt to bribe students and workers into betraying each other. The company uses the rule "divide and conquer".

Corporations such as Borg-Warner are at the same time bemoaning the fact that striking workers are able to obtain Federal food stamps. They claim that it gives an unfair advantage to workers in negotiations. They protest such government aid to workers. But they are very careful about which government aid they are opposed to. For instance they have no qualms about accepting government aid in imposing injunctions against pickets and they are quite happy to have the local police, sheriffs department and even the national guard on hand to protect their property and intimidate workers. They quite conveniently don't see these types of government aid as giving them an advantage in negotiations.

The fact is that workers are always at a disadvantage when dealing with corporations and companies. Tax breaks and loopholes exist for companies not workers. Can anyone imagine workers being subsidised? Even during labor-management negotiations it is ridiculous to speak of both sides bargaining equally. This can easily be demonstrated by the workers strike against Pesco. Workers cannot afford to be off work nearly a half year, but Borg-Warner of which Pesco Products is just a division hardly notices such a small strike. Even Pesco Products itself is barely hurt. Because of an injunction permitting them to operate normally, they can have management or scab labor replacing striking workers. Also any losses incurred by Pesco Products will surely be made up by Borg-Warner. So it is clear that it is the workers who are at a disadvantage during negotiations because it is they who go hungry, not management.

Attempts by corporations to make organized labor the villain is commonplace today. They would have us believe that organized labor is responsible for everything from inflation to unemployment. But people today are becoming aware that United States is a corporation state and aware of the lies that the corporations perpetuate. Thus when workers strike as they did at Pesco Products the corporations resort to the tactics that Borg-Warner employed, mainly injunctions, threats and intimidations of pickets and hiring of scab labor. These tactics so far have been unsuccessful and have only served to further unite the striking workers.

The workers have presented a united front. Wives of the workers have been quite vocal in support of their husbands and have continually helped on the picket lines. Students from Cleveland State, Case Western Reserve and Community College came out to give support to the workers and express their reaction to Pesco Products attempt to solicit them as scab labor. The students were unanimous in their agreement that corporations would not find a market for scab labor on the campuses because today's student is aware of the corporation state and workers problems.

The success of the workers strike against Pesco Products depends upon everyone uniting behind and giving full support to the strikers. Everyone must realize that the fight and competition is not between worker and worker, not between students and workers, not between Blacks and Whites, nor between men and women. The fight is between the people and the corporations. The people must win. We must unite to support the workers strike against Pesco Products.

Cleveland Panthers Imprisoned

continued from page 1

entered the building was asked if he had seen Dowell: none had.

Had Dowell been in this bedroom shooting, he would have had to run through this bedroom, past two or three policemen, run down a flight of stairs filled with police, and surrender ... all within two minute's time and without being seen by any of the police officers. Not only would he have had to do all this, but also he would have had to do it while re-loading his gun, wiping off all fingerprints and swallowing all the spent cartridges. All this stretches credulity.

Ortag testified that Fred Clark was shot while in the bedroom. If this were true, it would imply that Fred, with one wound in his head and another in his stomach, was still able to walk through the bedroom and out into the kitchen. The truth, however, is that Fred was shot in the stomach after he had walked out into the kitchen to surrender. Furthermore, while police claimed Clark was shot in the stomach with a shotgun pellet, the doctor who treated him at St. Luke's Hospital testified that it was a 38 caliber pistol bullet which he had removed.

The police admitted during the trial that the only fingerprint found on any of the weapons belonging to the defendants was placed in such a position that the person holding the gun could not have fired it.

The facts are that no guns were fired by any of the defendants. The fact is that Lazzaro prosecuted these men for no crime other than their beliefs. The fact is that the jury convicted them of no crime other than their affiliation with the Black Panther Party.

If the guns were fired, why weren't the spent cartridges recovered by the police, who went through the area with fine tooth combs in a search for any kind of evidence? Why were the guns fully loaded at the time the men surrendered and why were there no fingerprints, except for one?

It is standard operating procedure for police to give parafin tests to anyone suspected of recently firing a gun. Why weren't these tests given to the defendants, or if they were tested, why did the prosecutor withhold the results?

The July 18 *Plain Dealer* reports on this trial as follows:

"Lazzaro relied heavily on evidence and testimony depicting the Panthers as believing that policemen, whom they call 'pigs', should be shot or otherwise killed.

No evidence was presented showing that any of the five guns in the headquarters had been fired, nor was any evidence presented to show that the defendants had powder deposits on their hands ..."

None of the other policemen who testified during the 3½ week trial said they saw Ortag's assailant."

The sentences meted out by Judge White were as harsh as the convictions were unjustified. Johnson and Dowell—both of whom are student leaders at C.C.C. and staff members of the campus paper, *The Black Liberator*—were sentenced to terms from two to forty years. Clark, the youngest of the three,

was given a three to sixty year sentence.

Lazzaro, in his summation, claimed that these men regarded America as an imperialist power, that these men read Marx and Trotsky and Mao, that their newspaper carried pictures of Kim Il Sung, and that their party did not have George Washington Carver as its hero, choosing Malcom X and Huey P. Newton instead.

These are the crimes of thought and association for which three brave and idealistic men are to spend their lives in Ohio's sub-human penitentiaries.

While Fred and Curtiss and Mike rot in jail, the murderer Calley goes virtually free, the killers of Mose Mitchell go unpunished, and the Nixon's and Westmorelands and Hoovers reward themselves with medals and monies. While Curtiss and Fred and Mike rot in jail, Lazzaro, with his boss Corrigan, congratulates himself for manipulating the jury with hysterical red-baiting and brags about his threats to defense witness Tony Walsh. While Curtiss and Fred and Mike rot in jail, Judge White, like Pilate before him, washes his hands of the case.

Free these three!

Free all political prisoners!

Prosecutors Threaten Witness

Tony Walsh, one of the defense witnesses in the Black Panther trial was threatened by two city prosecutors, P. Lazzaro and John T. Corrigan in separate incidents. Walsh, a recent Western Reserve University Law School graduate, was called to testify on behalf of Curtiss Johnson, Richard Dowell and Fred Clark. Lazzaro stated that Mr. Walsh had been in the courtroom every day and should not be allowed to testify. The truth of the matter is that Walsh had been in the courtroom until they called for a separation of witnesses and then he left. The judge then ruled that Walsh could testify. The trial continued. Outside, in the hall during a recess, Lazzaro screamed at Walsh, "You're a lying son of a bitch!" "You were in the courtroom every day during the trial." "You're going to be a lawyer." "If I have anything to do with it, you won't be."

Lazzaro was consequently fined \$50 for contempt of court by Judge White.

Defense attorney Fred Ferrell then asked for a mistrial because of Lazzaro's outburst, which is punishable by one to three years in jail, but White denied the motion.

Several days later, a reporter from BPL overheard another prosecutor threaten Tony Walsh. This time John T. Corrigan asked Walsh if he was the guy who was intimidated. Walsh replied yes. Corrigan in his typical cocky manner stated, "Big guy like you intimidated by a little guy like Lazzaro?" Corrigan then said, "Don't worry, you won't be around long."

Lazzaro and his lackeys all knew that they had no case against the Panthers and their only recourse was to wave the red flag and intimidate witnesses.

Isn't it strange how the law 'n order freaks like Lazzaro and Corrigan always talk about obeying the law until it suits their right wing fanaticism to break it?

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Nixon Pissed As Pentagon Papers Leak

The full story of how the American people have been lied to, deceived, and made to swallow the Viet Nam war is beginning to emerge with the publishing of the top-secret Pentagon history of the Viet Nam war. Most of the revelations are not new to the people in the anti-war movement. They have long known (or at least suspected) that the government was totally dishonest in its public statements on the war.

However, because of the authenticity of the Pentagon study, it is likely that there will be still further decline in public support for President Nixon's policy of continuing the war. As more people become aware of the truth about Viet Nam, they will see the need for an immediate end to the war. This is why Nixon moved so swiftly to try to prevent further publication of the Pentagon papers, even though they seemed to be most damaging to his Democratic predecessors.

Nixon warned of danger to the "national security," but the information revealed by the Pentagon documents was already known to North Viet Nam and only kept hidden from the American people. In fact, what North Viet Nam has claimed for years—is now seen as containing much truth.

Nixon's real reasons for trying to suppress the documents were political. He has continued the Viet Nam policy—including the lies and deceptions—of his predecessors. Also he is afraid future leaks from classified papers might cost him his reelection. And, in order to move toward his goal of military victory in Viet Nam, he must convince war-weary Americans of the biggest lie of all—that he is winding down the war.

Nixon's action against the New York Times was unprecedented. Never before in U.S. history had the government attempted to prevent a newspaper from publishing a story. Ultimately Nixon's attempt to abolish the first amendment was defeated by the supreme court, by a vote of 6-3. Justice Black, in one of six separate opinions, stated that "only a free and unrestrained press can effectively expose deception in government." He also noted that it is the duty of the press to prevent the government from deceiving the people and sending them off to die in foreign wars. Chief Justice Burger, in a dissenting opinion, said he thought it was the patriotic duty of the press to report the "stolen" documents to "responsible" public officials.

But as long as the government has the power to classify documents and selectively declassify them so as to manipulate public opinion, there is no real freedom of the press. If criticism of the government can be censored in the name of "national security" then we have a totalitarian state.

Nor can there be real freedom of the press when the mass media is owned by and operated in the interests of the ruling elite. Only now—when it is clear to a large segment of the ruling class that the war is becoming increasingly destructive to the economy—is the establishment press finally living up to its duty to inform the people and expose government deception.

While the New York Times and other papers should be commended for publishing these documents, they should be condemned for failing to act earlier. The fact that the press has given unquestioned approval of the basic assumptions of American foreign policy in recent years is one reason why we are in such a mess in Indochina.

For example, in 1964 at the time of the alleged "Gulf of Tonkin Incident"—used by Lyndon Johnson as pretext for escalation of the war—the New York Times called it "the beginning of a mad adventure by

the North Viet Nam Communists." When Sen. Wayne Morse voted against the Gulf of Tonkin Resolution (later used by LBJ as congressional approval of his war policy), the Washington Post called him a "reckless and querulous" dissenter.

While the supreme court decision was widely hailed as a victory for the press, it left open the possibility of criminal convictions for violations of espionage laws. Moreover, Daniel Ellsberg, who admitted supplying the documents to the Times, has already been arrested (and released on \$50,000 bond). This is an example of the government policy of arresting those who protest the war, while the guilty—those who formulated U.S. policy and directed U.S. aggression against the Vietnamese—remain free.

Ellsberg was indicted for "unauthorized possession" of documents "related to the national defense" and putting these top-secret classified documents to "his own use." The maximum penalty is 10 years in jail and \$10,000 fine. When he was arrested, Ellsberg told reporters, "I felt as an American citizen...I could no longer cooperate in concealing this information from the American people." Ellsberg said he revealed the documents to the press because the Nixon administration is continuing the policy of previous administrations. He said he was prepared to accept the consequences and added, "Ten years in prison is very cheap, if that would contribute to ending this war."

The Pentagon papers themselves reveal massive deception of the American people. While Lyndon Johnson was campaigning against Barry Goldwater in 1964 as the peace candidate, secret plans to bomb North Viet Nam were already made; and the bombing was only delayed until 1965 because of the election. Later when LBJ made the decision to change the role of U.S. ground troops from a defensive to an offensive combat role, he ordered the change be kept secret and made to seem "gradual and wholly consistent with existing policy." LBJ told newsmen the same day, "I know of no far-reaching strategy that is being suggested or promulgated."

Some of the other significant revelations from the Pentagon history include:

Covert military operations against North Viet Nam began Feb. 1, 1964 (six months before the Tonkin incident). These actions included flights by U-2 spy planes, kidnapping of North Vietnamese citizens for intelligence information, parachuting sabotage and psychological-warfare teams into the North, commando raids from the sea, and the bombardment of North Vietnamese coastal installations.

While issuing optimistic reports to the American people on chances of success, government officials were secretly preparing new escalation because the bombing of the North had failed to bring about their defeat.

The temporary bombing pauses of 1966-67 were undertaken to recapture American public opinion and prepare them for further escalations.

The Pentagon study also shows that there was apparently little debate over the basic assumptions of U.S. foreign policy which led to the war. The goal of a pro-American South Viet Nam and the right of the U.S. to intervene in Vietnamese affairs to assure this were never questioned. The only debate was over why U.S. military might had failed to achieve victory. In 1966, when the U.S. military failure was becoming increasingly apparent, a memo was sent to Defense Secretary McNamara explaining the reasons for continuing the fighting: 70% to avoid a "humiliating U.S. defeat," 20% to keep South Vietnam out of Chinese hands, and 10% to permit the people of South Vietnam to enjoy a "better, freer way of life." The main reason to keep fighting was to preserve America's reputation, not to save a friend, not to deny the Communists added territory, and not even to prove that wars of national liberation won't work.

East Cleve. Teacher Killed

On June 5th, five East Cleveland policemen brutally assaulted and shot to death Mose Wendell Mitchell, a 29 year old black teacher at Shaw High School. Mitchell had committed no crime and was unarmed—he was merely walking along Euclid Avenue.

About 10 minutes before the fatal attack upon Mitchell, a car being driven out of an alley at 14932 Euclid Ave. by Mrs. Mary Garrett nearly ran into him. According to witnesses, Mitchell (who barely avoided being struck by the car and whose path was blocked by this woman, who refused to move the car to provide him right-of-way) stepped over the hood and continued walking.

Mrs. Garrett, apparently infuriated by the lack of respect this black man showed to her late model car, began screaming for police. Her call was relayed to policeman Keith Reider, by a passing cab driver, who mistakenly thought that Mrs. Garrett had been robbed.

Reider, who spent at least five minutes with Mrs. Garrett looking for Mitchell, certainly had sufficient time to ascertain what had happened; however, he made no attempt to learn anything, and when he and Mrs. Garrett overtook Mitchell, he immediately accosted him and accused him of robbery.

Mitchell denied the charge, where upon Reider and four other police—who came to the scene—began to assault and pistol-whip him. While Mitchell was held on the ground and handcuffed, he attempted to brush away a policeman's gun which was being held to his neck. During this attempt, the policeman fired his revolver, killing Mitchell and wounding another policeman.

Immediately after the murder, the police chief and other East Cleveland officials began a smear campaign against their victim in order to obscure their own crime. Thus, information was given to the press that Mitchell was separated from his wife and had a prior criminal record in Miami. *Now, even if these allegations were true, they would be totally irrelevant and a blatant invasion of privacy. The fact is however that these assertions were nothing more than downright lies.*

Soon after this outrage, many witnesses came forth with statements controverting the official police reports. Mass community meetings were organized, and a delegation of several hundred marched from the People's Church to City Hall demanding the suspension of the five policemen involved and a thorough investigation.

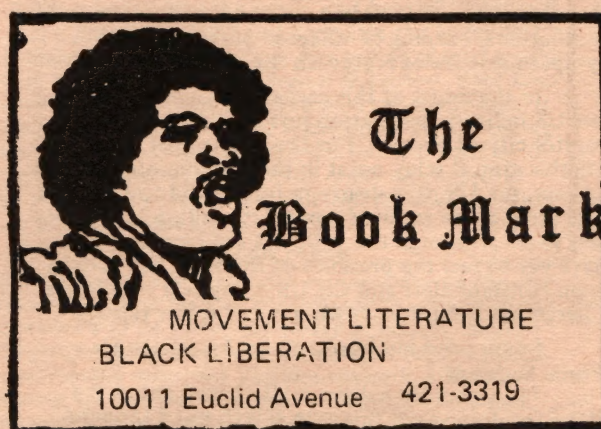
As a means of colling the tempers of the demonstrators and deflecting the issues involved, City Manager Chandler temporarily suspended the policemen. The coroner's report, authored by Democratic

Party boss Dr. Sam Gerber, corroborated the official police line that Mitchell was unarmed and had fired the gun, himself, even though handcuffed and held to the ground.

A justice department investigation for powder burns was not able to substantiate Gerber. The report of its investigation revealed only that Mitchell was close to the gun. This report could not hold up Gerber's claim that Mitchell had actually fired the gun.

The underlying issue in this atrocity is not the suspension of the five police, though they and the chief certainly deserve suspension, not to mention criminal prosecution. The issue is one of community control.

A police force chosen from a community, under the control of a community, and responsive to the needs and desires of a community is not likely to brutalize people of the community it serves. In East Cleveland, almost 60% black in population, the police force is about 90% white and 100% controlled by an absentee power structure, whose sole interest in East Cleveland is that of maximizing the profits on its investments there.



LITERARY MAGAZINE

EAST EUROPEAN SON

Book Review

Hard Times: An Oral History of the Great Depression
by Studs Terkel. 533 pages. (c) 1970. Avon. \$1.50.

Hard Times was obviously a labor of love for Studs Terkel, who is a Chicago journalist and radio man.

Hard Times is an intelligently constructed compendium of speculations and recollections about that great, troubling dividing-point in the observations of a wildly diverse group of people who lived through the Depression (and some who didn't), including, Cesar Chavez, Country Joe McDonald, Jose Yglesias, Sally Rand, William Benton, David Kennedy, Max Schactman, Wright Patman, Russell Long, Alf Landon, Myrna Loy, Little Brother Montgomery... as well as an assortment of unknown "little people" whose memories and thoughts, if anything, are more compelling and revealing than those of the "big names."

For instance, there is Roger, a fourteen year old boy from Appalachia, living in Chicago today who tells the questioner: "See, I never heard that word 'depression' before. They would all just say hard times to me. It still is."

Or, take Frank Czerwonka, a garbageman, who remembers that during the Depression "if you got lucky and got yourself a package of cigarettes, Camels was the bit, you put 'em in your socks and your Bull Durham was in your shirt pocket. So the ones that didn't have would mooch the Bull Durham instead of the Camels."

"These kids amaze me today. I mean, they're smokin' and the bus comes, and they throw away the whole butt. I can't, I gotta clinch it. Put it in my pocket..."

It's out of stories like these that we can figure out what it felt like to live through a vast and cruel breakdown in our capitalistic economic system.

All of us can add our own: the stories our relatives and parents have told us. What is exciting about *Hard Times* is that it allows us to check and compare the recollections of our parents against the viewpoints of many other participants.

One revealing aspect of the book is how differently people from opposed social classes viewed the Depression. One would think that with 25% of the working population unemployed and millions of homeless roaming the country it would be difficult for even the richest man to avoid "unpleasantness". But listen to Jerry Zerbe, who was on a "hardship" allowance of \$300 a month from his father during the Depression, recall the time: "...the Depression was over by '34, I think, pretty much...The Thirties was a glamorous, glittering moment, I never saw a bread line. Never in New York. If they were, they were in Harlem or down in the Village. They were never in this section of town. There was never any sign of poverty."

Or note the casual and unintentional callousness of a high society psychiatrist, Dr. David J. Rossman, who first talks about stocks and speculated fortunes and then when asked, "what was happening to humans...", replies, "Nothing much. You wouldn't know a Depression was going on. Except that people

were complaining that they didn't have any jobs. You could get the most wonderful kind of help for next to nothing. That's when people were peddling apples and bread lines were forming all over the city. But on the whole — don't forget that the highest unemployment was less than twenty percent."

This seems like unbelievable ignorance (or selfishness), except that Hough and the Near West Side are in a Great Depression right today. Don't the businessmen in Bratenahl and Shaker Heights talk in this same way about what is going on right next to them today? This must say some important things about our social system.

In the interviews a point that is often made is that people during the Depression for the most part didn't blame government or Capitalism for their dilemma. They blamed themselves. When they were laid off from the factory or their grocery store went bankrupt it was almost as if God were punishing them for not working hard enough, or for not being smarter and tougher. Even if there were millions upon millions in the same boat, they felt guilty that they didn't have a job. This attitude was a major factor in keeping discontent against the operation of Government and the economic system on a vague, personal level for the most part.

But an equally common observation in the interviews is that people are different today. They view the government and economy as human institutions which can be changed if they don't work for the good of the people.

An attorney, Gordon Baxter, who was a corporation lawyer in the Thirties remarks, "People would regard a depression today as man-made. In the past, depressions fell in the same category as earthquakes and bad weather. I don't think there'd be the acquiescence of the Thirties. I think there'd be a rebellion. I think even in the same category as

rebellion. I think even in these suburbs out here you'd get a rebellion. Exactly what they'd do about it, I don't know. I think there'd be a vigorous and, ultimately, violent, insistence: if not my measure, then some other measure. Something and soon."

"There was some of this in the Thirties, the left wing. Some were called Communists; some were Communists. They pointed up, as they called it, the contradictions: people starving, with farmers being told to kill off their pigs. There was anger and frustration with the inability to put the productive capacity to work to meet the needs of the people. There wasn't much of this talk in the Thirties — these were the nuts, the fringe. They wouldn't be the fringe today..."

We can only hope so.

by Jim Miller

Carnage... fm. pg. 2

Eritrea, the northernmost province of Ethiopia is the site of a guerrilla war. The Eritrean Liberation Front seeks the independence of Eritrea which was annexed by Ethiopia in 1954. In the past the activity of the ELF has been sporadic and rather low-key; so low-key that the Emperor was content to dismiss the guerrillas as mere "shiftas" (bandits). However, in recent months the activity has increased on both sides. Last November ELF troops ambushed an Ethiopian 2nd Division army patrol and in the exchange, Maj. Gen. Teshome Erghetu, commander of the 2nd Div., was killed. In retaliation, army troops in pursuit of ELF snipers, fired on civilian inhabitants of the city of Keren, killing or wounding over 200 persons. Reports of atrocities strain credibility: decapitations, mutilations, burning of villages. Suspected ELF sympathisers are executed on the spot.

In the midst of this carnage is Kagnaw Station, the US military installation just outside Asmara, the capital city of Eritrea. For the privilege of maintaining this crucial relay point in the US communications system, the US pays dearly in foreign aid to Ethiopia. The army alone received some \$12 million in US aid last year. Although the 1600 US military personnel have yet to feel the presence of the ELF, the station is on constant alert and the US Army rest center near Cheren has been shut down due to "sewer repairs."

I expressed my horror to an American Air Force Sergeant:

"I can hardly believe it all. I read about the Germans doing such things in WWII, but I thought Ethiopia was supposed to be an enlightened country."

His response:
"So's America supposed to be enlightened and look what we're doing."

I don't suppose that the Eritrean massacres will ever weigh very heavily on the collective conscience of America. Unlike Vietnam, in Ethiopia we only pay for the bullets.

Bulgarian, Yugoslavian *tabak* has filled my lungs
My pulse beats to the rhythm of Czech trains:

CLACK-clack-clack-clack
CLACK-clack-clack-clack

You know the sound
Even if you've never been to Gottwaldo Station you know

When you're young you watch trains
When you're older you watch children watching trains

In the compartment you talk in whatever language possible
Someone is always hungry for conversation

The man by the window eyes with suspicion
your Russian newspaper
He is old enough to remember, and still German
Furtive, incomprehensible, he mutters something into his cheese

The southern gallant tells how his father died in the
second war

Tells how his wife and little one wait in Zagreb

But here is Nurnberg, the last big city before my
destination

And so great is my anticipation, so vast my long
denied hunger

That I fail to contemplate the history of this place
So close to her, I live only in my body

By the border, there are few left
The pap-fed babies, sated, have all been hustled home
The city dwellers all off on their provincial holidays
There are three in my wagon: an elderly German,
a Czech and myself

We wait for officials, we smoke, we talk:
What is your country?
I am an American, but my grandparents
were born here

I have no home, I am a son of East Europe

CHARLES J. PEKAREK

B & E for Jack S.

His curiosity was insatiable
(searching for a clitoris with a flashlight in a
parked car).

The discipline of work never meant self-denial.

He married the girl with the bastard kid

And bought
a new car
a new house
and filled it with brand new furniture
and all the appliances

Secure in the knowledge that he would
never own them
but damned if he could see them
sitting in some show window.

But first he invented his own
private
anti-war movement

Knocking off gas stations
(careful to keep it to the minimum felony)
until caught, put on probation —
and home free.

Breaking and entering was his view of the world.

If he couldn't enter it
He would break it
But no one ever figured a way
to keep him
from enjoying it.

Mr. Toad

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FEDERAL GRAND JURY: Gone Fishing in Cleveland



There are currently some 13 Federal Grand juries in session throughout the country aimed at political repression. The Nixon administration is clearly mounting a new offensive to harass and intimidate the movement. BPL will provide more extensive coverage of this nationwide phenomena in future issues. This article is on the Grand Jury that recently met in Cleveland.

There was a Federal Grand Jury Inquiry in Cleveland two weeks ago, investigating (1) destruction of government property, (2) possession of unregistered firearms, (3) interference with the selective service system, (4) mutilation of public records, (5) sabotage, and (6) conspiracy. Unless you read the straight press very diligently, you might have missed it. The government wasn't too anxious for publicity, as they had no evidence to back up most of their charges. They did manage to get 3 indictments, for possession of dynamite against Bob Malecki, Bob Brake and Ted Soares

BACKGROUND

In October of 1969, draft boards in Akron, Lorain and Painesville were broken into and files destroyed. The Akron 2 issued a statement claiming responsibility for the action:

The reason they (the draft files) were burned was so that the government would not force young men, especially the poor and black, to kill and be killed in an illegal war. If this war were as legal and patriotic as the government would lead us to believe, they wouldn't need the draft.

The reason ink (red) was splattered on the walls and on the flag was to symbolize the horror and shame that responsible people should feel when a country smaller than most of our states is being raped under the guise of patriotism and Christianity. No longer is patriotism patriotism, no longer is Christianity Christianity when they say you have to kill.

On October 26, the government alleges, 3 people from a commune in Lorain and 1 from a commune in Cleveland broke into the Cleveland quarries in Birmingham, Ohio, stealing dynamite, blasting caps and a detonator. According to various FBI agents, prosecutors, and an assortment of other cops these explosives were then buried in Metropolitan Park, off a bridal path.

Bob Brake and Bob Malecki went to Washington for the Moratorium in November of that same year. They didn't make it to the demonstrations though—the Selective Service Office in Silver Springs, Md. was raided and they were caught soon afterward with draft files. Both are now serving 3 year sentences. They were denied parole this spring.

All of this happened nearly 2 years ago. Suddenly last spring ('70), the FBI decided to begin investigations into the draft boards and dynamite, probably prompted by their own sense of inadequacy rather than any specific information. Folks in Lorain and Cleveland who had any kind of contact with the communes there were harassed; they sought out parents and neighbors, apparently feeling that they would be the most easily intimidated. They found a wealth of information in Wendy Lee, a woman who lived at the house in Lorain for 7 months, and had recently had a baby. After the FBI agents threatened to take her child away, (they couldn't, but she made no effort to see a lawyer and verify this) admitted to being present when the dynamite allegedly was stolen, and named 3 other people. All summer she denied this, saying that she, too, had refused to answer the cop's questions.

Another break for the other side appeared in the person of Darlene Eddy. She lived for a short time in both Lorain and Cleveland, eventually splitting for the West coast. In June of 1970 she was busted for dope in Boulder, Colorado, where as she tells it, FBI agents saw her name in the paper and came to question her about some missing dynamite. An exchange was arranged — her dope charges were dropped and she was flown back to Cleveland. What happened next is unclear, but the Feds found dynamite, and Darlene received \$85 for her services.

As far as is known, most of the others who were contacted by the FBI either refused to submit to interrogation, or listened patiently to their questions and simply denied any knowledge of the subject.

On October 1st, 1970, Bob Malecki, Ted Soares and Lynn Jackson were secretly indicted for breaking and entering in Erie Co., Ohio, charged with the theft of the dynamite. Bob Malecki already imprisoned, was moved to maximum security. He was shown an indictment but not told what it referred to.

Lynn Jackson was arrested by FBI agents in New Jersey, where she was living at the time, for interstate flight to avoid prosecution (on a secret indictment??!) The agents admitted freely that those charges were trumped up to allow the FBI to come in on what should have been just a state case, and would be dropped when she was returned to Ohio and re-arrested on the B&E indictment. While in Jail, she was questioned by the FBI about an alleged conspiracy to use dynamite to blow up the Federal Building, and the Cleveland Electrical Illuminating Co., if Ahmed Evans were electrocuted. Her bail was set at \$35,000 but lowered to \$10,000 personal recognizance 19 days later when she was extradited to Ohio and released in her parents custody. Ted has disappeared. The FBI has started a rumor that he's dead, trying to frighten information out of people who have none.

THE GRAND JURY

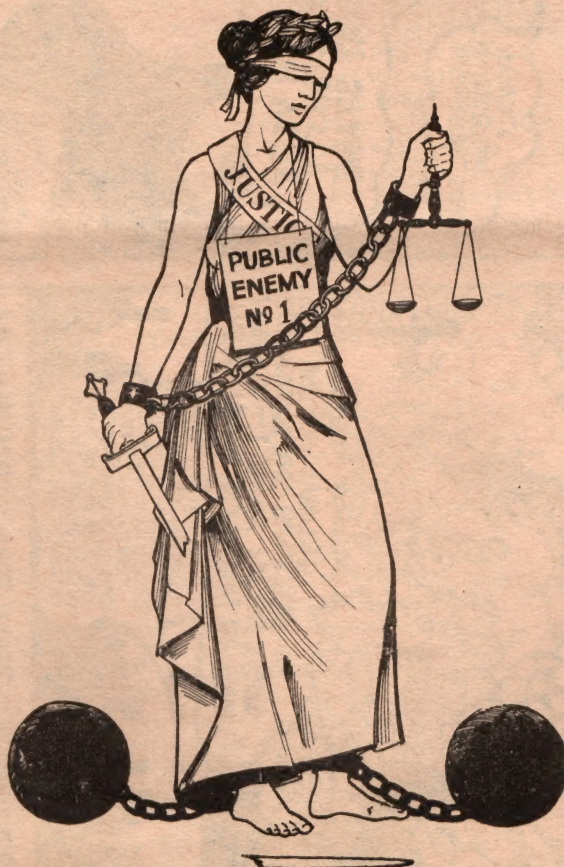
In May the FBI resumed their investigation. Assistant U.S. District Attorney Timothy Potts was about to embark on a fishing expedition — a federal grand jury. Several people were asked to go in and "have a talk" with Potts: Ken Grant and Bob Parker, both from Lorain, Jane Schaeffer, from the Thomas Merton Community, Lynn Jackson and of course, Wendy and Darlene, who were already committed to cooperating. Everyone but Jane agreed to the interview. Lynn went on the advice of and accompanied by her lawyer, Gerald Messerman, theoretically to show Potts how little she knew and thus avoid a subpoena. She now feels that it could have been best to refuse, in solidarity with Jane.

All but Bob Parker were subpoenaed to appear before the grand jury in the Federal Courthouse on June 24. Potts didn't seem to have much to do with the jury. Mostly he just ran around in awe of the two pigs from the Internal Securities Division of the Justice Department, Roger B. Cabbage and Robert D. Sharp. Cabbage was a minor flunkey last year in the trial of the Chicago 8, and is now running the Federal grand jury in Brooklyn. Sharp's function seemed to be coaching Cabbage. There were 18 members of the jury — 13 women (3 black and 5 men (all white).

Wendy was first. She answered every question, without pleading the fifth, without immunity, in great detail. She was vague in making public exactly what questions she was asked, but did admit that, in addition to her dynamite story, she had told the jury that Mark Rudd had spent some time in Lorain in 1969. Not true.

Darlene was the next to be called to the jury room. Her testimony allegedly implicated two people in the theft of the dynamite. She was very flippant, and said that the ISD men seemed disgusted with her attitude, although she proved to be useful to them.

The jury adjourned for lunch, and Lynn was called after the break. She was asked a series of 20 questions by Cabbage. (Lawyers are not allowed in the jury room, only the prosecution is present; there is no means of challenging a witness, no defense. The witness is generally allowed to consult with an attorney after every question.) She left the room after each question to relax, see her friends who were waiting in the hall and give her lawyer an opportunity to write down the questions. Invoking the 5th amendment, she refused to answer any question. There was then a hearing before Judge James Conell (age 73) at which time the DA asked that immunity be granted and Lynn be ordered to answer the questions or be jailed for contempt.



Her lawyer challenged the immunity, as the act which provided that immunity only applied to sabotage and not the other crimes being investigated. Sabotage is interfering with a war effort — a crime only if it has been declared or a state of emergency exists. A good argument — but it seems we are now living in a state of emergency, declared by Truman during the Korean War and never revoked.

Lynn was returned to the jury room and answered the questions. The alternative was a five year sentence on the B&E, an indefinite contempt sentence and the likelihood of a federal indictment. The jury was adjourned and she and Jane were instructed to return the next day.

The questions asked so far revealed blatant inconsistencies in the government's story. Remember the conspiracy to blow up CEI and the Federal Building if Ahmed were executed? Well, it's authors in the justice department made some improvements:

Q. Isn't it true that the purpose of the dynamite was to blow up CEI, a Federal Building, the State Capitol, and the Selective Service Office in Columbus where all draft records are kept to impede the war in Vietnam?

A. I know of no such plans.

Right — a few more buildings to make it more exciting for the jury, and switch from Ahmed to the war to give it national implications. And, of course, the investigators tried to connect our local anti-war priests — Bob Begin and Bernie Meyer. They were found guilty by the press, although the government couldn't fabricate any evidence against them.

The jury resumed at 10:30 Friday morning.

Lynn was asked another 14 questions about conspiracy, draft, and the Mark Rudd fantasy, and then dismissed.



Jane Schaeffer was the last to be questioned. She expected to go the same route, immunity, facing contempt. Almost identical questions were asked her. Her response was the following statement:

On the advice of counsel, I hereby respectfully decline to answer on the grounds that the questions being asked and my presence here are in violation of the 4th and 6th amendments (the right to privacy and the right to a speedy and public trial by an impartial jury with the assistance of counsel) to the constitution.

That upset Cabbage especially as she was writing down the questions as he fired them off. So he and Jane's lawyer, Ben Sheerer, fought it out. Finally, Jane had to plead the 5th amendment, with the 4th and 6th, and Ben wrote the questions down when she came out of the jury room to consult him after each question. She was then dismissed without being compelled to testify. Apparently the government realized that she had no information for them, and was prepared to fight the farce.

The prosecutor chose to subpoena people who had the most to lose if they chose to resist. Jane and Wendy had small babies, Darlene, the charges in Colorado, Lynn, the state indictment. He hoped to be able to intimidate these people into lying to serve the purpose of the grand jury — repression of the revolutionary movement in America. It's difficult to assess the damage done nationally. Although few major indictments have resulted, the lives of many people have been disrupted. They have endured the agony of making the decision to testify or go to jail, many indefinite contempt sentences in Tuscon, Seattle, Harrisburg, Washington, etc.

We don't know where we stand now in Cleveland. The Justice Department was unsuccessful in their attempt to make a conspiracy case. The question now is, will they try again? It's possible they may abandon the grand jury as a tactic, for these reasons: the "jet set" investigators of the Internal Securities Division, led by Guy Goodwin, are traveling around the country securing bad indictments, leaving local prosecutors with the task of trying to build cases with no evidence. Losing these cases will hinder the careers of ambitious young DA's. And out of these attacks has risen a national coordination which is developing creative ways to resist the juries. What we must do now is be strong and ready for the next offensive, the next strategy the government develops to divide and disrupt us and build a good legal/political defense for those indicted.

CLASS WAR COMIX

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14 SECONDS LATER... IN TUPELO...

